

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JAMES HOWARD JENKINS, II,

Plaintiff,

versus

UNITED STATES OF AMERICA,

Defendant.

CIVIL ACTION NO. 1:21-CV-595

**ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff James Howard Jenkins, II, proceeding *pro se*, filed this lawsuit pursuant to the Federal Tort Claims Act. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion to dismiss filed by the defendant be granted. To date, the parties have not filed objections.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#10) is **ADOPTED**. The motion to dismiss (#9) is **GRANTED**. A final judgment shall be entered dismissing this lawsuit.

Signed this date

May 9, 2023

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE